

ADVISORY OPINION 93-016

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

August 9, 1993

Hon. Paul D. Deaton
Attorney and Counselor at Law
805 Broadway
P.O. Box 448
Paintsville, Kentucky 41240

Dear Mr. Deaton:

Thank you for contacting the Registry. The facts of your question may be stated as follows:

East Kentucky Shopper, located in Paintsville, Kentucky, is an agency which will mail printed advertising to the people on its mailing list for a bulk rate charge and on a bulk rate postage permit. East Kentucky Shopper has mailed political advertising for a least one candidate for political office in Kentucky.

Your question may be stated as follows:

May Paul D. Deaton, the Candidate, use the East Kentucky Shopper mail service to mail printed political advertising for his political campaign?

The answer to your question is yes. In Kentucky, all candidates regulated by the Kentucky Registry of Election Finance are allowed to mail or otherwise distribute printed advertising or campaign literature. You should be aware of the sponsorship identification required by KRS 121.190(1). KRS 121.190(1) requires sponsorship identification for all written political advertising including "circulars." (See KRS 121.190(1).) Therefore, you are welcome to pay fair market value to East Kentucky Shopper or any other bulk rate mailout service for distribution of your written campaign literature. Again, Kentucky law requires that written campaign literature identify its sponsor.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt